

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Omar Abu-Hamdan,

Debtor.

Case No. 15-56833-TJT

Chapter 7

Hon. Thomas J. Tucker

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**TRUSTEE'S MOTION FOR ORDER  
AUTHORIZING INTERIM DISTRIBUTION**

**Jurisdiction**

1. The Trustee brings this motion under 11 U.S.C. §§ 105 and 724; Fed. R. Bankr. P. 3009, and 9014; and L.B.R. 2016-1 (E.D.M.).
2. This is a core proceeding over which this Court has jurisdiction. *See* 28 U.S.C. §§ 157(b)(2)(A) and 1334.

**Background**

3. Omar Abu-Hamdan filed a petition for relief under Chapter 7 of the U.S. Bankruptcy Code on November 18, 2015. Mark H. Shapiro was appointed the Chapter 7 Trustee for the Debtor's bankruptcy estate.
4. The Trustee has collected \$211,608.57 from the administration of assets in this case, including \$48,000 from a global settlement approved by the Court on August 30, 2017. There remains a balance of \$16,000 due on the global settlement that is being paid in regular, monthly installments of \$4,000.

5. The bankruptcy estate currently has a balance on hand of \$142,676.79. In addition to the balance due on the global settlement, the Trustee expects to collect additional funds through the liquidation of real property in Lebanon. Trustee's special counsel in Lebanon continues to work towards the liquidation of the real property located there; however, a number of delays have held up the liquidation process.

6. The deadline for filing claims against the bankruptcy estate expired on July 5, 2016. The claims filed against the estate include the following Chapter 7 administrative claims and unsecured claims:

<b>Claim Nos.</b>	<b>Claimant</b>	<b>Classification</b>	<b>Claim Amount</b>	<b>Proposed distribution</b>
	United States Bankruptcy Court (deferred court costs)	Ch. 7 Admin.	\$1,050.00	\$1,050.00
1	Mr. Riad Al-Awar	Unsecured	\$263,013.20	\$93,366.42
2	Discover Bank	Unsecured	\$10,095.39	\$3,583.74
3	American InfoSource LP as agent for First Data Global Leasing	Unsecured	\$2,987.50	\$1,060.53
4	Capital One Bank (USA), N.A.	Unsecured	\$19,221.11	\$6,823.26
5	American Express Centurion Bank	Unsecured	\$1,825.75	\$648.12
6	Portfolio Recovery Associates, LLC	Unsecured	\$14,923.14	\$5,297.53

7	Weisman, Young & Ruemenapp, P.C.	Unsecured	\$37,101.01	\$13,170.40
8*	Dyck-O-Neal, Inc.	Unsecured	\$50,067.73	\$0.00

*\*Tardily filed claim*

### **Interim Distribution**

7. In a Chapter 7 case, dividends to creditors shall be paid as promptly as practicable. *See* Fed. R. Bankr. P. 3009.

8. As indicated above, the estate has sufficient funds to make a meaningful distribution to creditors. The Trustee believes that an interim distribution is appropriate at this time.

### **Relief Requested**

The Trustee respectfully requests that this Court enter an order authorizing an interim distribution of estate funds, and granting such further relief as this Court deems appropriate.

/s/ Mark H. Shapiro (P43134)  
Chapter 7 Trustee  
25925 Telegraph Rd., Suite 203  
Southfield, MI 48033  
(248) 352-4700  
shapiro@steinbergshapiro.com

Date: August 23, 2018

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Omar Abu-Hamdan,

Debtor.

Case No. 15-56833-TJT

Chapter 7

Hon. Thomas J. Tucker

**ORDER AUTHORIZING INTERIM DISTRIBUTION**

This matter is before the Court on the Trustee's motion. Interested parties were served with notice of the motion, and no objections were timely filed.

IT IS ORDERED as follows:

A. The Trustee's motion is granted.

B. The Trustee may distribute \$125,000 from the estate trust account to pay the proposed distributions indicated below:

<b>Claim Nos.</b>	<b>Claimant</b>	<b>Claim Amount</b>	<b>Proposed distribution</b>
	United States Bankruptcy Court (deferred court costs)	\$1,050.00	\$1,050.00
1	Mr. Riad Al-Awar	\$263,013.20	\$93,366.42
2	Discover Bank	\$10,095.39	\$3,583.74
3	American InfoSource LP as agent for First Data Global Leasing	\$2,987.50	\$1,060.53
4	Capital One Bank (USA), N.A.	\$19,221.11	\$6,823.26
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6	Portfolio Recovery Associates, LLC	\$14,923.14	\$5,297.53
7	Weisman, Young & Ruemenapp, P.C.	\$37,101.01	\$13,170.40

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Omar Abu-Hamdan, xxx-xx-1081  
12326 Willoway  
Plymouth, MI 48170

Case No. 15-56833-TJT  
Chapter 7  
Hon. Thomas J. Tucker

Debtor.

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**NOTICE OF TRUSTEE'S MOTION FOR ORDER  
AUTHORIZING INTERIM DISTRIBUTION**

Chapter 7 Trustee Mark H. Shapiro has filed a motion seeking authority to use \$125,000 of the \$142,676.79, in estate funds to pay Chapter 7 administrative deferred court costs of \$1,050 and make a pro-rata distribution to timely-filed, general-unsecured claims. The Trustee has collected \$211,608.57 from the administration of assets in this case, including \$48,000 from a global settlement approved by the Court on August 30, 2017. There remains a balance of \$16,000 due on the global settlement that is being paid in regular, monthly installments of \$4,000. The bankruptcy estate currently has a balance on hand of \$142,676.79. In addition to the balance due on the global settlement, the Trustee expects to collect additional funds through the liquidation of real property in Lebanon. Trustee's special counsel in Lebanon continues to work towards the liquidation of the real property located there; however, a number of delays have held up the liquidation process.

The deadline for filing claims against the bankruptcy estate expired on July 5, 2016. The claims filed against the estate include deferred court costs of \$1,050 and timely filed general unsecured claims totaling \$349,167.10. The Trustee seeks to pay the deferred court costs and make a pro-rata distribution to creditors with timely-filed, general-unsecured claims.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Trustee's motion, or if you want the Court to consider your views on the motion, then on or before 14 days from the date of service of this notice, you or your attorney must:

File with the Court a written objection or request for hearing at:<sup>1</sup>

Intake Office  
U.S. Bankruptcy Court  
211 West Fort Street  
Detroit, Michigan 48226

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the 14 day period expires. All attorneys are required to file pleadings electronically.

You must also send a copy to:

Tracy M. Clark, Esq.  
Steinberg Shapiro & Clark  
25925 Telegraph Rd., Suite 203  
Southfield, Michigan 48033

If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time, and location of the hearing.

**If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.**

/s/ Mark H. Shapiro (P43134)  
Chapter 7 Trustee  
25925 Telegraph Rd., Suite 203  
Southfield, MI 48033  
(248) 352-4700  
shapiro@steinbergshapiro.com

Date: August 23, 2018

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<sup>1</sup> Objection or request for hearing must comply with Fed.R.Civ.P. 8(b), (c), and (e).

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**CERTIFICATE OF SERVICE**

I certify that on August 23, 2018, I served copies as follows:

Document Served: Notice of Trustee's Motion for Order Authorizing Interim Distribution

Served Upon: Omar Abu-Hamdan  
12326 Willoway  
Plymouth, MI 48170

All creditors with timely filed and allowed proofs of claim (*See* L.B.R. 2002-4)

Method of Service: First Class Mail

/s/ Ilene A. Harmon, Trustee Assistant  
25925 Telegraph Rd., Suite 203  
Southfield, MI 48033  
(248) 352-4700  
shapiro@steinbergshapiro.com